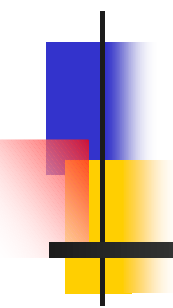


Industrial Environmental Association

***Environmental and Regulatory Issues
Conference & Exposition
Thursday, December 12, 2002***



Department of
Environmental Health

Land and Water Quality
Division

Site Assessment and Mitigation
Program

Mike Verneti

619.338.2242

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Land and Water Quality Division

Site Assessment and Mitigation Program (SAM)

- Local Oversight Program (LOP)
- Voluntary Assistance Program (VAP)
- Site Designation Program (SDP)
- File Review Program
- Monitoring Well Program (MW)*

* See SAM organizational chart



DEH-SAM PROGRAM GOALS

- To protect public health, water resources and the environment from releases of hazardous substances,
- To provide third party review of environmental reports,
- To address these concerns in a cost efficient manner.



DEH-SAM REGULATORY AUTHORITY

- ***California HSC***
Div. 20, Chapters 6.5, 6.7, & 6.75
Hazardous Waste Control
Div. 101, Part 3, Chapter 4
Administration of Public Health
- ***California Water Code, Div. 7***
Porter-Cologne Water Quality
Control Act
- ***California Code of Regulations***
Titles 22 and 23
- ***San Diego County Codes***
Title 6, Div. 5, 7, & 8



SOURCES OF CONTAMINATION

- Industrial processes:
Plating shops, dry cleaning, auto repairs, paint shops ...
- Agricultural practices
- Storage tanks: AST, UST
- Burn ash sites, debris and ash produced by open burning of municipal solid wastes
- Illegal or abandoned land fills



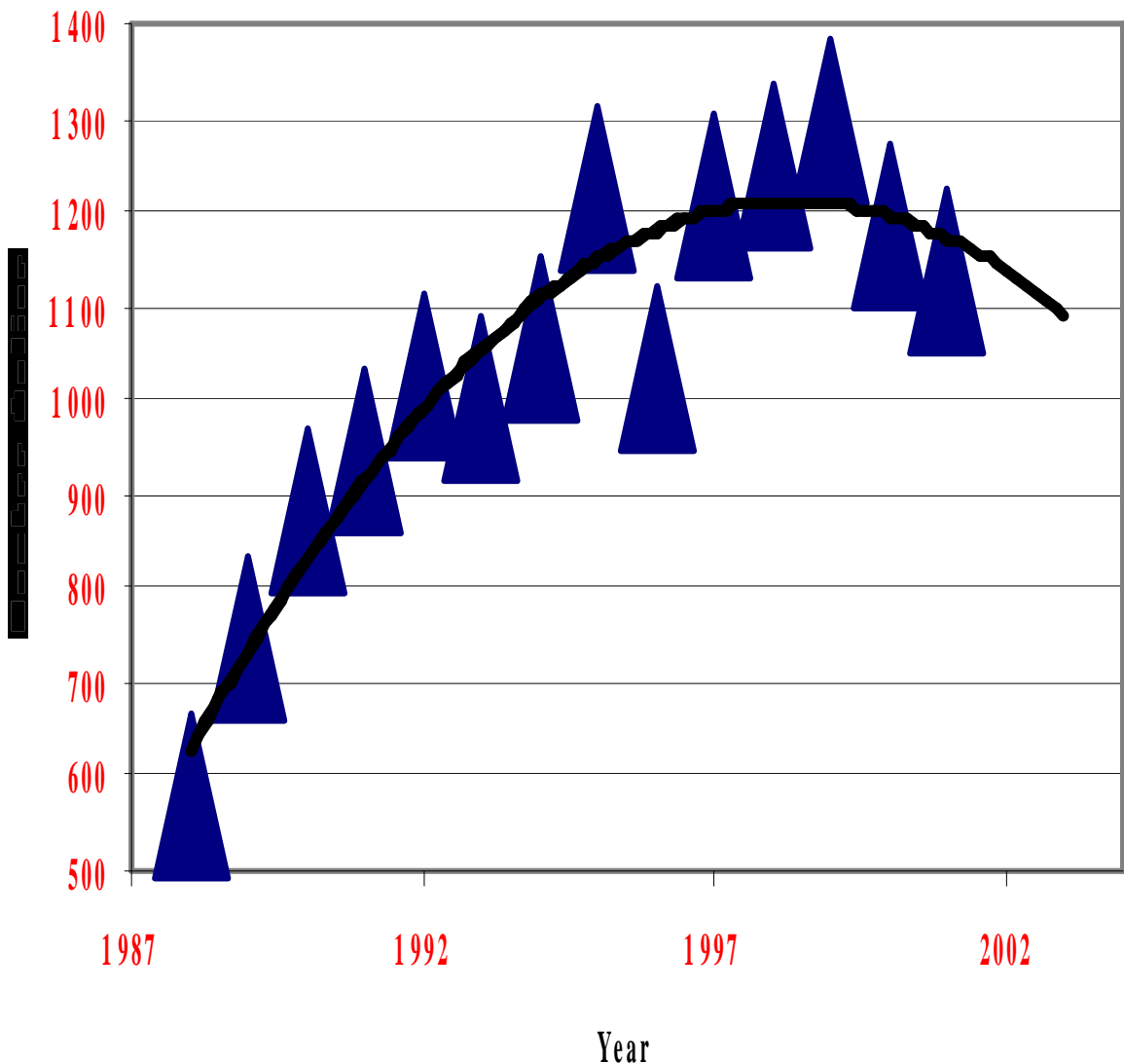
LOCAL OVERSIGHT PROGRAM (LOP)

- Addresses known releases from UST Systems,
- Contaminants: Petroleum Hydrocarbons,
- Funding: State Water Resources Control Board
- RP may qualify for cost reimbursement,
- There are policy limitations and reporting requirements,
- SAM manual
- Requires close coordination with DEH-SAM.

Tank Removal and Oversight



LOP Active Cases Projected to end of 2003





What is a VAP?

- A signed contract or agreement between the applicant and DEH.
- DEH reviews reports and plans submitted by registered professionals, i.e geologists or engineers.
- Outcome is a closure, concurrence, certificate of compliance or completion letter.



VAP....Services

- Provides staff consultation, project oversight and technical or environmental report evaluation pertaining to properties contaminated with hazardous materials
 - Title 22 Tank release and spills
 - Property Phase I and II reports for lenders and potential buyers
 - Dry cleaning solvent and spills
 - Risk analysis and risk management for land use changes
 - Oil and Pesticide spills
 - Brownfields (Property Redevelopment)



VAP...Applicants

- Property owners & prospective buyers
 - Transfer of ownership
 - Construction, building additions, etc...
- Developers & City Redevelopment Agencies
 - Convert farm lands to residential
 - Shopping strip expansion, etc...
 - Other site use changes
- Banks and Lending Agencies
 - Appraisal
 - Title transfers



VAP...Payment and Review Time

- **Payment**

- \$100.00 per hour staff time
- Invoices sent to applicants quarterly
- Invoices must be paid within 30 days
- Assistance not provided on delinquent accounts

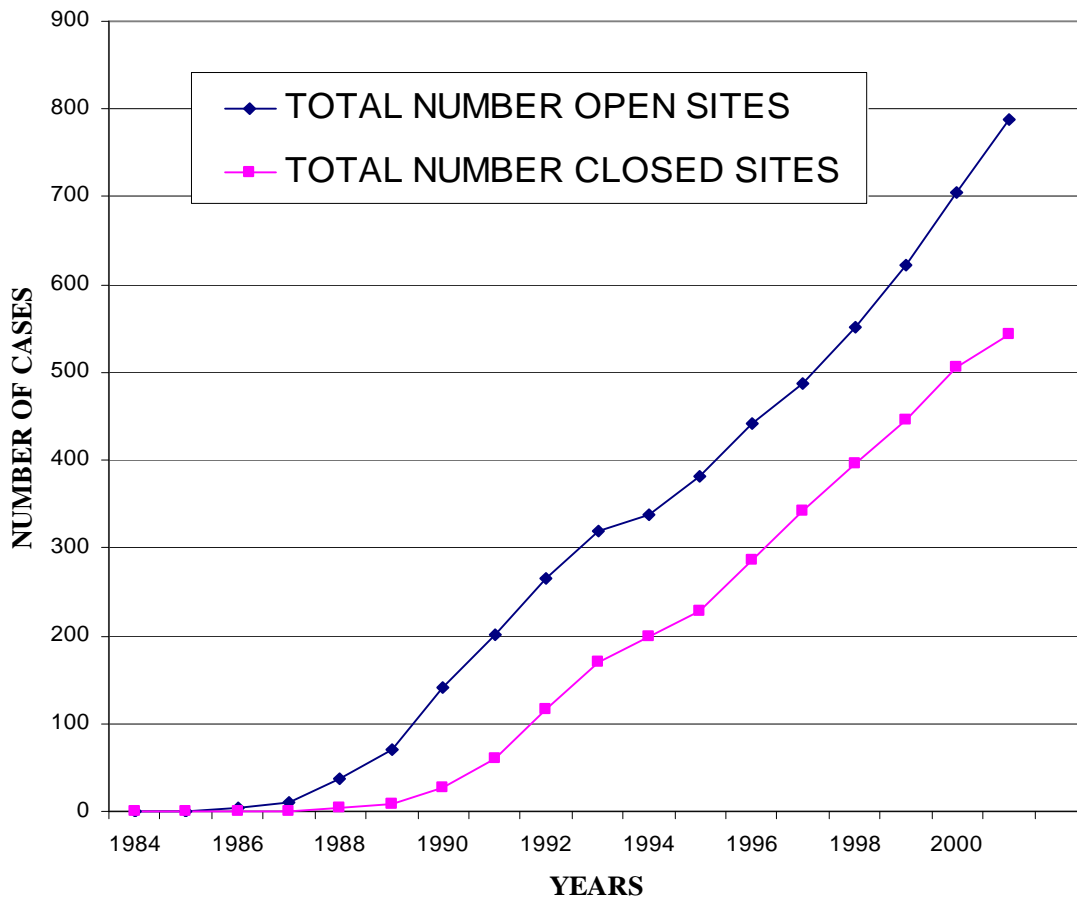
- **Review**

- Review application for completeness within 5 days
- 30 to 60 day Project Manager review

VAP...1984 – 2002

Projects

Cumulative number of open/closed cases





SITE DESIGNATION PROGRAM (SDP)

- Administered by CAL-EPA Site Designation Committee,
- CAL-EPA delegates regulatory authority to appropriate agencies like DEH,
- The projects will be completed to the standards of other regulatory agencies,
- May communicate with RWQCB, DTSC, Department of Fish & Game, US Fish and Wildlife, etc.
- Decisions made are processed through agencies involved

Ballpark Site





Monitoring Well Program

- Permitting of Monitoring Wells was instituted in 1986
- Incorporated in the San Diego County Code of Regulatory Ordinances, Chapter 4
- Over 1200 sites
- 8000 plus existing wells
- Over 70% wells not maintained



Monitoring Well Permit Requirements

- Permit Requirements – includes Exploratory or Test Borings and Geotechnical Borings

- 1. Any boring that has a monitoring device installed*
- 2. Any soil boring greater than 20 feet in depth*
- 3. Any boring in which a casing will be installed*
- 4. Any soil boring, 20 feet or less in depth, where the groundwater table is anticipated to be encountered*

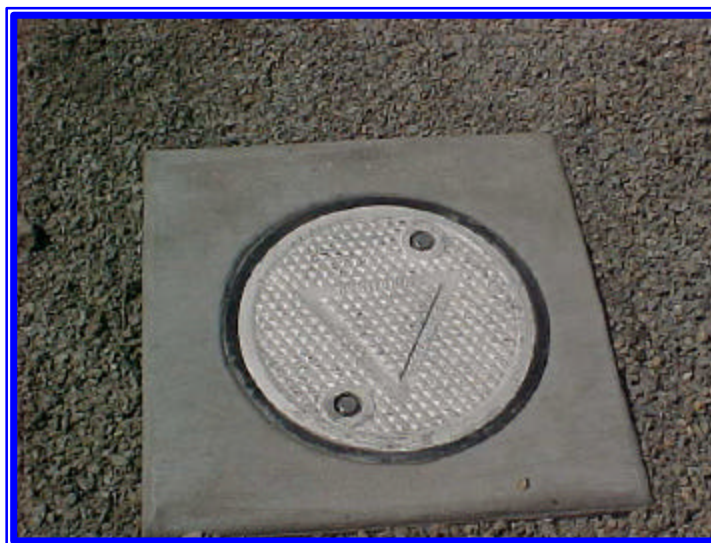


Monitoring Well Program Fiscal Year 2001-2002

- Number of Permits...709
- Total number of activities...3195
 - 1. 1287 borings
 - 2. 473 destructions
 - 3. 1055 monitoring wells
 - 4. 450 other
- Number of Drilling Reports...452
- Number of Facility Inspections...544

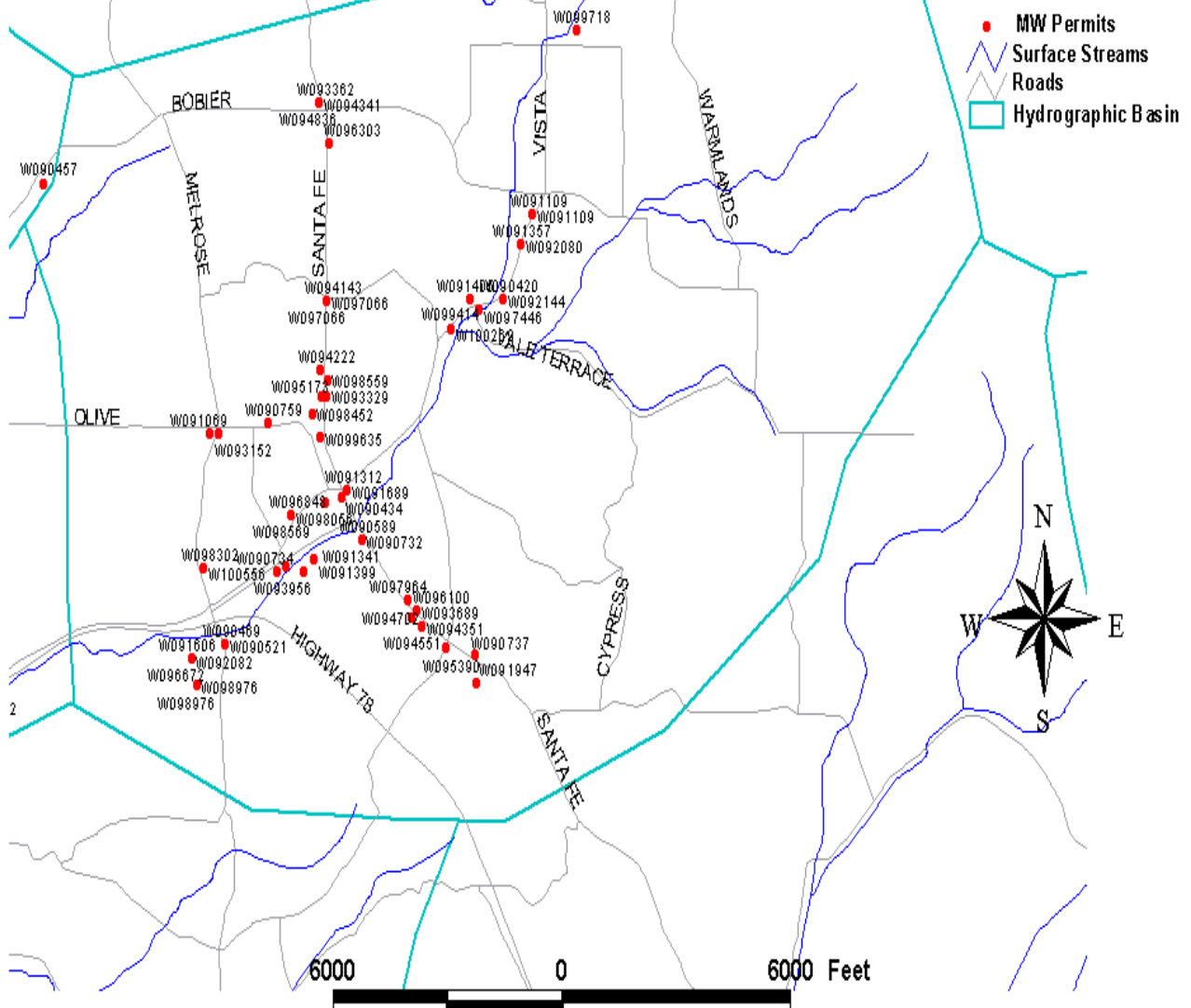
Monitoring Well Program New Fees

- Triennial permits for Monitoring Wells
- Investigative fees for work without a permit
- Tank Monitoring Well Fee
(Used for Enhanced Leak Detection)
- Re-inspection Fee



IMPROVEMENT CHALLENGE - ABANDONED WELL DESTRUCTION -

904.22 -- Vista Sub Area





Legislative Update

- Assembly Bill 2481, *Frommer*
- Response Action Regulations



AB 2481 (Frommer)

- Sponsored by SWRCB
- Approved by Legislature
8/30/2002
- UST Provisions
- UST Cleanup Provisions
- RUST Grant and Loan
Program Provisions
- CUPA Provisions



UST Provisions

- **Constructions standards after July 1, 2003**
 - **new UST systems must be liquid and vapor tight and not allow water intrusion**
 - **New UST systems include underground portion of vent lines, vapor recovery lines and fill pipes**
 - **All portions of the new UST system must be double contained**



UST Provisions

- Enhanced leak detection within 1000 feet of public drinking water well
 - **one-time testing of double walled systems**
 - **test failures must be corrected**
- Licensed tank testers
 - **sign reports under penalty of perjury**
 - **maintain reports at least 3 years**



UST Provisions

- Local agency authority
 - “Red Tag” tank for fuel delivery prohibition
 - Replaces the 1998 certificates of compliance
 - Significant violations which will be defined by SWRCB
 - Imminent threat with no grace period
 - No imminent threat, 7 days to correct with local agency follow-up within 5 days
 - Civil penalties of up to \$5000/day



Certified Unified Program Agency Provisions

- Authorizes CUPA's to issue administrative enforcement orders of UST
- Specifies procedures for hearings
- CUPA receives all administrative penalties for enforcement of unified program requirements
- For minor violations, CUPA's may issue notices to comply as specified



DEH UST Contacts

- ***Land and Water Quality Division***

Mike Vernetti, 619.338.2242

1. Site Assessment and Cleanup
2. UST closure laboratory reports

- ***Hazardous Materials Division***

Sylvia Mosse, 619.338.2309

1. UST permitting
2. SB 989 testing
3. Annual compliance inspections



Response Action Regulations

- DTSC establish single process for majority of response actions under the following:
 - Site mitigation authority, HSC Chapter 6.8
 - Corrective action authority, HSC Chapter 6.5
 - Consistent with federal cleanup requirements of the National Contingency Plan (NCP)



Response Action Regulations

- Final Draft April 23. 2002
- Will be incorporated into Title 22
- Division 4.5 Environmental Health Standards for the Management of Hazardous Waste
- Chapter 50, Response Action



Response Action Regulations

- Oversight agencies
 - Department of Toxic Substances Control (DTSC)
 - Certified Unified Program Agencies (CUPA)
- Recover costs under the federal Comprehensive Environmental Response, Compensation and Liability Act (CERLA)



Response Action Regulations

■ Cleanup Process

- Consistent with NCP process
- Preliminary Endangerment Assessment
- Remedial Investigation/Feasibility Study
- Remedial Action Plan

■ Time – critical removals

- Non-emergency removal action with a short planning period

■ Alternative remedial measures

- Less complex sites

■ CUPA Qualifications

- Tier 1 and 2



Response Action Regulations

- DTSC promulgation of regulations
- CUPA Response Action Committee commentary since 1997
- Areas of concern with the Responses Action Regulations:
 - Definition of less complex site
 - Cleanup timeframe of 120 days
 - DTSC determination of site categorization

The SAM January Update 2003 is Coming!



Please Mark Your Calendars!

January 22, 2003 (Wednesday)

FROM 8:30 A.M. TO NOON

The January Update will be held at the Ballroom at the Balboa Park Club at Balboa Park

Update Topics

New Guidelines from the Stormwater Workgroup

Professional Licensure Update

El Cajon Valley Site Conceptual Model

Legislative Update-AB 2481

**SAM Water Quality Improvement Goals-(MTBE and Well
Destructions)**

Monitoring Well Permit Fees

**RWQCB New Waste Discharge Requirements for Soil Reuse and
Stockpile Management**

Small Diameter Well Workgroup Update

Please plan to join us on January 22, 2003

Plenty of free parking will be available

Refreshments will be served.



General References

- Staff IEA presentations posted
www.sdcounty.ca.gov/deh/lwq/sam
- DEH fee adjustments posted
www.sdcounty.ca.gov/deh
- General SAM issues
SAM Duty 619.338.2222